

714402_1
JMS/SB/atc
March 23, 2007



PATENT APPLICATION
Attorney's Docket No.: 2814.2008-001

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Andy H. Levine, John F. Cvinar and John C. Meade
Application No.: 10/811,293 Group: 3738
Filed: March 26, 2004 Examiner: Cheryl L. Miller
Confirmation No.: 8260
For: ANTI-OBESITY DEVICES

CERTIFICATE OF MAILING OR TRANSMISSION	
I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as First Class Mail in an envelope addressed to Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, or is being facsimile transmitted to the United States Patent and Trademark Office on:	
<u>3-23-07</u>	<u><i>Amy Comeau</i></u>
Date	Signature
<u>Amy Comeau</u>	
Typed or printed name of person signing certificate	

REPLY TO RESTRICTION REQUIREMENT AND AMENDMENT

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Responsive to the Restriction Requirement dated February 21, 2007, the claims of Group II (Claims 1-20) drawn to a restrictive gastrointestinal implant are elected for prosecution.

Applicant has further added new claim 49, which is a means plus function claim drawn to a gastrointestinal implant device. Applicant believes that new claim 49 belongs in elected Group II. Applicant requests that the Examiner confirm the same.

Applicant reserves the right to file a divisional application or take such other appropriate action as deemed necessary to protect the non-elected inventions. Applicant does not hereby abandon or waive any rights in the non-elected inventions.

Please amend the application as follows:

03/28/2007 EXHAILE1 00000007 10011293

01 FC:1201
02 FC:1202

200.00 OP
50.00 OP